1 INTRODUCTION

This document is a joint document serving as an environmental assessment (EA) prepared in accordance with the Tahoe Regional Planning Agency (TRPA) Code of Ordinances and an environmental impact report (EIR) prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations §15000 et seq.). This EA/EIR has been prepared to evaluate the environmental impacts associated with the proposed Tahoe Vista Partners, LLC Affordable Housing and Interval Ownership Development Project in Tahoe Vista, California.

Including the proposed project, this document addresses four alternatives in accordance with TRPA's Code of Ordinances Section 5.3.A, and §15126.6 of the State CEQA Guidelines. The alternatives evaluated in this EA/EIR are Alternative A (Proposed Project), Alternative B (Reduced Development), Alternative C (Reduced Development with Recreation Elements), and Alternative D (No Project). These alternatives are evaluated in Chapters 6 through 18 of this EA/EIR at an equal level of detail. Other alternatives considered but eliminated from further analysis are described in Chapter 4.

1.1 LEAD AGENCIES

1.1.1 PLACER COUNTY

Placer County is the CEQA lead agency for the proposed Tahoe Vista Partners, LLC Affordable Housing and Interval Ownership Development Project. CEQA requires lead agencies to consider environmental effects that may occur with approval of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare an EIR.

CEQA, in PRC Section 21002.1, presents important state policy relevant to use of an EIR. Key provisions of PRC Section 21002.1 are presented below:

- ▶ PRC Section 21002.1(a) states that the purpose of an EIR is to "... identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided."
- ▶ PRC Section 21002.1(b) states that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so."
- ▶ PRC Section 21002.1(c) provides that "[i]f economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency if the project is otherwise permissible under applicable laws and regulations."

1.1.2 TAHOE REGIONAL PLANNING AGENCY

TRPA is the primary permitting agency and the lead agency under the Tahoe Regional Planning Compact. This EA/EIR has been prepared in accordance with Chapter 5 of the TRPA Code of Ordinances and the TRPA Rules of Procedure. TRPA is a bi-state regional planning agency created in 1969 by federal law to oversee development on both the California and Nevada sides of Lake Tahoe. The Compact, Public Law 96-551, as revised in 1980, provides TRPA the authority to adopt environmental quality standards, called "environmental threshold carrying capacities" (thresholds), and to enforce ordinances designed to achieve the thresholds, which were adopted by the

TRPA Governing Board in 1982. TRPA's mission is to "lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region."

The Compact charges TRPA with attaining and maintaining environmental thresholds to protect the unique values of the Lake Tahoe Basin. The nine thresholds adopted by TRPA in 1982 are for:

- Water Quality
- ► Air Quality
- Scenic Resources
- ▶ Soil Conservation
- ► Fish Habitat
- ▶ Vegetation
- ▶ Wildlife Habitat
- Noise
- Recreation

1.2 PURPOSE OF THE EA/EIR

An EA/EIR is an informational document used in the planning and decision-making process for a proposed project. The purpose of an EA/EIR is not to recommend either approval or denial of a project, but to disclose objective information so that informed decisions can be made.

A state or local public agency must comply with CEQA when it undertakes an activity that may cause a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. The County has prepared this EIR to meet the requirements of CEQA. An EIR is an informational document used to inform agency decision-makers and the general public of any significant environmental effects of a project, identify feasible ways to mitigate the significant effects, and describe reasonable alternatives to the project that can reduce environmental impacts. As required by CEQA, the County will consider the information presented in the EIR when determining whether to approve the proposed project.

TRPA is the lead agency for the proposed project under the Compact, and Placer County acts as the CEQA lead agency. After reviewing this EA/EIR and other information regarding the project proposal, the TRPA Governing Board will consider the adequacy of the EA/EIR for compliance with the TRPA Regional Plan, Code of Ordinances, and Goals and Policies. The Placer County Planning Commission will consider the adequacy of the EA/EIR for compliance with CEQA. This will be followed by an action on the project by the TRPA Governing Board and the Placer County Board of Supervisors.

1.3 TYPE OF EA EIR

This EA/EIR evaluates the Tahoe Vista Partners, LLC Affordable Housing and Interval Ownership Development Project and is intended to be a project-level EA/EIR. Section 15161 of the State CEQA Guidelines states that a project EIR "should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation." This EA/EIR evaluates the proposed project in sufficient detail to allow informed decision making; no subsequent environmental documentation should be required.

1.4 INTENDED USES OF THE EA/EIR

This joint environmental document is intended to meet the environmental review requirements of Placer County and TRPA. Placer County and TRPA maintain discretionary authority over the primary project approvals, listed below. (Note: the following approvals are common to all alternatives, except Alternative D–No Project.)

- ► Conditional Use Permit (Placer County)
- ► Design Review (Placer County)
- ► Grading Permit/Improvement Plans (Placer County)
- ► Landscaping Plan Approval (TRPA/Placer County)
- ► Deed Restrictions for Affordable/Employee Housing Units (TRPA/Placer County)
- ► Tree Removal Permit (TRPA/Placer County)
- ► Tentative Map and Final Map Approval for Minor Subdivision (Placer County)
- ► Subdivision of Existing Structures (TRPA)
- ► Improvement Plans and Building Permits (Placer County)
- ► Other Project Permits (TRPA/Placer County)

1.4.1 OTHER POTENTIAL PERMITS AND/OR APPROVALS

This EA/EIR is also intended to be used by other responsible agencies that may have authority over the proposed project. Other potential permits and/or approvals that may be required for development of the project could include, but are not limited to, the following:

- ► Encroachment Permits (North Tahoe Public Utility District [NTPUD] and California Department of Transportation [Caltrans])
- ► Fire and Life Safety (North Tahoe Fire Protection District)
- ► Sewer and Water Connection Permits (NTPUD)
- Construction Storm Water Permit (Lahontan Regional Water Quality Control Board)

While the issuance of the above permits is not contingent upon EA adoption by TRPA and EIR certification by Placer County, the applicable permitting agencies may review information contained in this EA/EIR as part of their permit approval process.

1.5 SCOPE OF THE DRAFT EA/EIR AND EFFECTS FOUND NOT TO BE SIGNIFICANT

1.5.1 Scope and Organization of this EA/EIR

Pursuant to CEQA and the State CEQA Guidelines, a lead agency shall focus an EIR's discussion on significant environmental effects and may limit discussion on other effects to brief explanations about why they are not significant (PRC Section 21002.1, State CEQA Guidelines Section 15143). Furthermore, indication of the manner in which significant impacts can be mitigated or avoided is included among the purposes of an EIR. A determination of which impacts would be potentially significant was made for this project based on review of existing project information, on comments received as part of the public review process for the project, additional research and analysis of relevant project data, and analysis by environmental professionals.

SCOPE OF THIS EA/EIR

This EA/EIR analyzes a range of environmental impact topics associated with implementation of the proposed project. The County and TRPA have determined that the proposed project has the potential to result in environmental impacts on the following resources that are addressed in detail in this EA/EIR:

- ► Land Use (Chapter 6)
- ▶ Recreation (Chapter 7)
- ► Hydrology and Water Quality (Chapter 8)
- ► Geology, Soils, and Land Capability and Coverage (Chapter 9)
- ► Scenic Resources (Chapter 10)
- ► Cultural Resources (Chapter 11)
- ► Vegetation and Wildlife (Chapter 12)
- ► Public Services and Utilities (Chapter 13)
- ► Traffic, Parking, and Circulation (Chapter 14)
- ► Air Quality (Chapter 15)
- ▶ Noise (Chapter 16)
- ► Hazards and Hazardous Materials (Chapter 17)

ORGANIZATION OF THIS DOCUMENT

This EA/EIR is organized as follows:

Chapter 1, "Introduction," summarizes the purpose and scope of the EA/EIR and provides an overview of the environmental review process for the project; discusses agency roles and authorities; and provides details on the project's background and history.

Chapter 2, "Summary," summarizes the conclusions of the environmental analysis.

Chapter 3, "Project Description," includes a description of the project location; a description of the project objectives; and descriptions of the components and features of the proposed project, including construction techniques and schedule.

Chapter 4, "Alternatives," includes a discussion of the CEQA and TRPA requirements for alternatives; a summary of the four alternatives; and a description of the alternatives considered and eliminated from further consideration.

Chapter 5, "Approach to the Environmental Analysis," includes an introduction to the Project impact analysis.

Chapter 6, "Land Use," includes the environmental setting, regulatory setting, and impacts of the proposed project on land use and planning, as well as mitigation measures for those effects.

Chapter 7, "Recreation," includes the environmental setting, regulatory setting, and impacts of the proposed project on recreation, as well as mitigation measures for those effects.

Chapter 8, "Hydrology and Water Quality," includes the environmental setting, regulatory setting, and impacts of the proposed project on hydrology and water quality, as well as mitigation measures for those effects.

Chapter 9, "Geology, Soils, and Land Capability and Coverage," includes the environmental setting, regulatory setting, and impacts of the proposed project on geology and soils, as well as mitigation measures for those effects.

Chapter 10, "Scenic Resources," includes the environmental setting, regulatory setting, and impacts of the proposed project on aesthetics and visual resources, as well as mitigation measures for those effects.

Chapter 11, "Cultural Resources," includes the environmental setting, regulatory setting, and impacts of the proposed project on cultural resources, as well as mitigation measures for those effects.

Chapter 12, "Vegetation and Wildlife," includes the environmental setting, regulatory setting, and impacts of the proposed project on biological resources, as well as mitigation measures for those effects.

Chapter 13, "Public Services and Utilities," includes the environmental setting, regulatory setting, and impacts of the proposed project on public services and utilities, as well as mitigation measures for those effects.

Chapter 14, "Traffic, Parking, and Circulation," includes the environmental setting, regulatory setting, and impacts of the proposed project on traffic and transportation, as well as mitigation measures for those effects.

Chapter 15, "Air Quality," includes the environmental setting, regulatory setting, and impacts of the proposed project on air quality, as well as mitigation measures for those effects.

Chapter 16, "Noise," includes the environmental setting, regulatory setting, and impacts of the proposed project related to noise, as well as mitigation measures for those effects.

Chapter 17, "Hazards and Hazardous Materials," includes the environmental setting, regulatory setting, and impacts of the proposed project on hazardous materials, as well as mitigation measures for those effects.

Chapter 18, "Cumulative Impacts," provides a summary of project cumulative impacts.

Chapter 19, "Other CEQA- and TRPA-Mandated Sections," describes significant unavoidable effects on the environment; significant irreversible environmental changes; and growth-inducing impacts.

Chapter 20, "Report Preparers," lists individuals who participated in the preparation of the EA/EIR, organized by organization and agency.

Chapter 21, "References and Persons Consulted," lists the sources of information cited throughout this EA/EIR.

1.5.2 EFFECTS FOUND NOT TO BE SIGNIFICANT

Based on previous environmental review of the project, it was determined that the proposed project would not result in significant impacts in several resource areas. Therefore, the following resource areas do not require further analysis in this EA/EIR:

- ► Agricultural Resources
- ► Population and Housing
- Mineral Resources

These resource areas are described briefly below.

AGRICULTURAL RESOURCES

The lands within the project area are not currently being used for agricultural purposes. Because of the existing topography, the area does not possess high value for agriculture and it is not expected to be used for farming or grazing in the future. Therefore, the proposed project would not result in the loss of any agricultural resources or the conversion of farmland to nonagricultural uses. Given these findings, implementation of the proposed project would have no effect on this topic; therefore, agricultural resources are not discussed further in this EA/EIR.

POPULATION AND HOUSING

The proposed project would not involve the displacement of any existing housing, including affordable housing. The proposed project would not result in the disruption or division of an established community, including low-income or minority communities. The proposed project would have no substantial effect on population or housing; therefore, these topics are not discussed further in this EA/EIR.

MINERAL RESOURCES

The proposed project would not result in the loss of any known mineral resources as identified by the California Geological Survey or the California Division of Mines and Geology (the California Division of Mines and Geology changed its name to the California Geological Survey in 2002). The proposed project would not impede or interfere with the establishment or continuation of existing mineral extraction operations. It would not result in the loss of available known mineral resources that would be of value to the region or residents of the state, and the site is not delineated as a locally important recovery site in the *Placer County General Plan*. Given these findings, implementation of the proposed project would have no effect with regard to mineral resources; therefore, this topic is not discussed further in this EA/EIR.

1.6 DEFINITION OF BASELINE

According to Section 15125 of the State CEQA Guidelines, baseline conditions are defined as the physical environmental conditions in the vicinity of the project as they exist at the time that the Notice of Preparation (NOP) is published. Therefore, for the purposes of this document the baseline conditions are defined as the conditions that existed in the project vicinity as of February 2006. This baseline condition was used as the basis for determining the level of significance of impacts of the proposed project.

1.7 CRITERIA OF SIGNIFICANCE

Criteria of significance were determined based on the Placer County CEQA Checklist, the TRPA Initial Environmental Checklist, the TRPA Code of Ordinances, TRPA Threshold Carrying Capacities, and the environmental checklist found in Appendix G of the State CEQA Guidelines. Significance criteria for each resource area are listed under the "Criteria of Significance" heading in each chapter (Chapters 6 through 17).

1.8 PROJECT BACKGROUND AND HISTORY

1.8.1 PROJECT BACKGROUND

The project site is located in Placer County, California, in the Tahoe Vista area. The approximately 6.25-acre project site is located approximately 250 feet north of Lake Tahoe. The site is largely unpaved and contains Sandy Beach Campground (a campground and recreational vehicle (RV) park), a main 2-story commercial building, and several other smaller buildings.

Although the Sandy Beach Campground includes space for approximately 47 tent and RV sites,¹ the northern half of the campground is currently closed and unavailable to campground patrons, leaving only 27 RV sites (which are also available for tent camping) and associated gravel pads in use. The campground operates the 27 sites under a Use Permit issued by the California Department of Housing and Community Development (HCD) under its Mobile Home Parks Program. Buildings and facilities associated with the campground include an existing 545-square foot (sf) restroom/shower building and an RV dump station.

At that time in which TRPA completed its land capability and coverage verification, the campground was operating 44 campsites.

The main 2-story commercial building currently houses Spindleshanks Restaurant on the first floor and office space and a one-bedroom apartment on the second floor. Several outbuildings (service, storage buildings and coolers) are located behind the main commercial building. There are also eight smaller 1-story ancillary buildings ranging in size from about 65 to 690 sf clustered near the main building. These buildings house Enviro-Rents, a kayak and bicycle rental office and storage building, the campground office, a small residential building (also known as the "Manager's Cabin"), a plumbing company building, and other uses. TRPA-verified uses at the site include 2,592 square feet of commercial floor area (CFA) associated with Spindelshanks Restaurant on the first floor and eight tourist accommodation units (TAUs) on the second floor of the main commercial building. The eight ancillary buildings were determined by TRPA to be accessory to the Sandy Beach Campground and as such were not assigned CFA.

Tahoe Vista Partners, LLC has submitted applications to TRPA and Placer County for the land use approvals necessary to develop the proposed project (Alternative A). Alternative A includes the construction of 45 tourist accommodation units (TAUs) or interval ownership units, a clubhouse/administration building, 10 affordable/employee housing units, improvements to the existing main 2-story commercial building, and State Route (SR) 28 frontage improvements. The proposed project would also include granting an easement to the NTPUD (or jointly to several agencies including the NTPUD) for a future multiple use public trail (including bicycles). The easement would accommodate a multiple use public path consistent with the Tahoe Vista Community Plan (TVCP) and NTPUD's plans for a trail alignment within the vicinity of the project property. With the exception of the "Manager's Cabin", seven ancillary buildings near the main commercial building along with the campground restroom facility and RV dump station would be demolished and removed from the site. The Manager's Cabin would be advertised for sale and relocation for a period of two weeks to the public and agencies. If there is a lack of interest in its acquisition and removal, the Manager's Cabin would also be demolished. Chapter 3, "Project Description," provides additional information.

1.8.2 HISTORY OF ENVIRONMENTAL REVIEW AND AREAS OF CONTROVERSY

Several environmental documents have been prepared for the proposed project. In November 2002, TRPA completed an initial environmental checklist (IEC). Subsequently, the Placer County Planning Department prepared an environmental impact assessment questionnaire (EIAQ) in December 2002. In 2004, Placer County prepared an Initial Study (IS) and determined that the project would result in potentially significant adverse environmental impacts per Section 15064 of CEQA, and further determined that an EIR must be prepared pursuant to CEQA.

Environmental issues were raised by the public, the Placer County Environmental Review Committee (ERC), the Tahoe Regional Planning Agency (TRPA) Advisory Planning Commission (APC), and the North Tahoe Regional Advisory Council (NTRAC) during three public meetings:

- ▶ August 10, 2005, TRPA APC meeting beginning at 9:30 AM at the North Tahoe Conference Center at 8318 North Lake Boulevard (U.S. Highway 28), Kings Beach, California. The project was presented as an information item only; however, public and Commission comments were heard.
- ► February 9, 2006, NTRAC meeting beginning at 5:00 PM at the Tahoe City Public Utility District Board Room at 221 Fairway Drive, Tahoe City, California. The project was presented as an information item only; however, public and Council comments were heard.
- ► February 28, 2006, ERC/NOP Scoping meeting beginning at 2:00 PM at the Pioneer Commerce Center in Suite 105 at 10825 Pioneer Trail, Truckee, California. This meeting constituted a formal public scoping meeting, and was conducted in accordance with Section 15082 of the State CEQA Guidelines.

COMMENTS AND AREAS OF CONTROVERSY

A NOP was distributed on February 21, 2006 and comments were received through March 22, 2006. Written comments were received from the Placer County Engineering Services Division and the Placer County Flood Control and Water Conservation District; no written comments were received from members of the public. Some comments did not address potential physical environmental changes, but were related to the merits of the project. Merits issues are considered by decision makers when deciding whether or not to approve a project, but are not evaluated in the EA/EIR. A Scoping Summary Report was developed that summarizes the environmental issues raised during the scoping period, and can be found in Appendix A of this EA/EIR.

1.9 DEFINITION OF TERMS USED IN THE EA/EIR

The EA/EIR includes the following terminology to denote the significance of environmental impacts of the project:

Beneficial Impact: An impact that would result in an improvement or favorable change in the physical environment. This impact level does not require mitigation.

Less-than-Significant Impact: An impact that would not result in a substantial and adverse change in the physical environment. This impact level does not require mitigation.

Significant Impact: A substantial adverse change in any of the physical conditions within the area affected by the project. Potentially feasible mitigation measures or alternatives must be considered in an attempt to substantially reduce significant impacts.

Potentially Significant Impact: An impact that would be considered a significant impact as described above if it were to occur; however, the occurrence of the impact cannot be immediately determined or there is some uncertainty about its occurrence. For example, although the EA/EIR may provide evidence that buried archaeological resources could be found in a particular location, the actual discovery cannot be determined until the time of project construction. For CEQA purposes, a potentially significant impact is treated (e.g., mitigated) the same as a significant impact (e.g., it requires consideration of feasible mitigation measures and alternatives).

Criteria of Significance: A criterion established by the lead agencies to define at what level an impact would be considered significant (i.e., if an impact exceeds a threshold, it would be considered significant). Criteria are defined for this EA/EIR based on TRPA environmental thresholds and regulatory requirements, the State CEQA Guidelines, and Placer County's Environmental Review Ordinance. Criteria for significance may consider scientific and factual data relative to the lead agency, expert opinion based on facts, and other factors.

Mitigation Measure: A measure that could feasibly minimize a significant effect. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. Moreover, they must also be connected to the impact and roughly proportional in extent to the impact of the project.

1.10 PROJECT REVIEW AND CEQA/TRPA ENVIRONMENTAL REVIEW PROCESS

As part of the environmental review process, a NOP pursuant to CEQA was circulated by Placer County to inform responsible agencies and the public that the proposed project could have a significant effect on the environment, and to solicit their comments and input. The NOP, TRPA Initial Environmental Checklist, Placer County Initial Study, Project Applicant's Environmental Impact Assessment Questionnaire, and a Scoping Summary Report describing environmental issues raised during the scoping period are found in Appendix A.

Section 5.4 of the TRPA Code of Ordinances requires TRPA to make EAs available for public review not less than 5 working days before TRPA intends to take action on a project. However, pursuant to Section 21091(a) of the California Public Resources Code that specifies the minimum circulation period for Draft EIRs, this EA/EIR is being distributed for a minimum 45-day public comment period. Comments on the Draft EA/EIR may be made either in writing before the end of the review period or at the public hearings to be held before the Placer County Planning Commission, the NTRAC, and the TRPA APC at the times and places listed in the notice of availability accompanying this Draft EA/EIR. Written comments on the Draft EA/EIR should be addressed to:

Maywan Krach

Placer County Community Development Resource Agency Environmental Coordination Services 3091 County Center Drive, Suite 190, Auburn, CA 95603

Contact: (530) 745-3132/Fax: (530) 745-3003

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Contact: (775) 588-4547/Fax: (775) 588-4527

Email: tavance@trpa.org

Following the close of the public comment period, written responses to comments on the Draft EA/EIR will be prepared by the consultant on behalf of TRPA and Placer County. The Draft EA/EIR, together with the responses to comments and other TRPA- and CEQA-mandated information, will constitute the Final EA/EIR. The Final EA/EIR will be considered by TRPA and Placer County before any action taken on the proposed project.